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OFFICE OF PETITIONS

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P.O. BOX 10395
CHICAGO, IL 60610

In re Application of :
Singh, et al. : LETTER REGARDING PTA
Application No. 09/963,855 :
Filed: September 26, 2001 :
Atty. Dkt. No.: 9623/362 :

This letter is in response to the "REQUEST FOR REVIEW OF PATENT TERM ADJUSTMENT," filed October 31, 2005. The Office thanks applicants for their good faith and candor in bringing this to our attention.

The Determination of Patent Term Adjustment mailed July 26, 2005 indicated that the above-identified application was entitled to a patent term adjustment ("PTA") of 216 days. Applicants, however, indicate that the adjustment of 216 may extend the term of the patent by too many days and request a review of the calculation.

The correct Patent Term Adjustment ("PTA") at the time of the allowance is 182 days. The Office will adjust the PAIR screen to reflect that the Patent Term Adjustment (PTA) determination at the time of mailing of the Notice of Allowance is 182 days. A copy of the updated PAIR screen showing the correct determination is enclosed.

A review of the calculation of patent term adjustment reveals that the Office failed to reduce the adjustment of 375 days an additional 34 days in accordance with 37 CFR 1.704(c)(8) in connection with the supplemental reply (Information Disclosure Statement, or, IDS) submitted April 25, 2005. The reduction began March 23, 2005, the day after the date that the initial reply was filed, and ended April 25, 2005, the date the IDS was submitted.

Accordingly, at the time of allowance, the adjustment of 375 days is properly reduced a total of 193 days for applicants' failure to engage in reasonable efforts to conclude prosecution.

As applicants are advising us of a potential error in providing too much patent term adjustment in this application, no fee is due in connection with this matter.

This application is being forward to the Office of Patent Publication for issuance of the patent.

Telephone inquiries specific to this matter should be directed to Petitions Attorney Alesia M. Brown at (571) 272-3205.

A handwritten signature in black ink, appearing to read "Nancy Johnson". The signature is fluid and cursive, with the first name "Nancy" being more prominent than the last name "Johnson".

Nancy Johnson
Senior Petitions Attorney
Office of Petitions

Enclosure: Copy of Adjustment PAIR Calculation